

Attorney's Docket No.: C01104/70091

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Frederick Morgan, et al.
Serial No.: 10/045,629
Confirm. No.: 3677
Filed: October 25, 2001
For: METHODS AND APPARATUS FOR CONTROLLED
ILLUMINATION
Examiner: Haissa Philogene
Art Unit: 2821

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP: ISSUE FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 22 of January, 2004.


Jeanne W. Chub

MAIL STOP: ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF ALLOWANCE AND EXAMINER'S REASON FOR
ALLOWANCE**

Sir/Madame:

In the Notice of Allowance mailed December 17, 2003 in the above-identified application, claims 1-6, 8-27, 29-45, and 47-54, now numbered as claims 1-51, are allowed.

In Item 3 of the Notice of Allowability, the drawings filed on July 22, 2002 are indicated as accepted by the Examiner. However, in Item 8 of the Notice of Allowability, corrected drawings are requested for a proposed drawing correction filed on August 28, 2002. Applicants respectfully point out that the formal drawings filed and accepted on July 22, 2002 include the proposed drawing correction filed on August 28, 2002; in particular, the July 22, 2002 drawings were formal drawings that incorporated all proposed corrections to the originally submitted informal drawings. Accordingly, Applicants respectfully believe that no further action is necessary with respect to the drawings.

The Notice of Allowance includes an Examiner's Statement for Reasons of Allowance which indicates that the prior art fails to disclose "an apparatus and method thereof having at least one controller coupled to at least one light source to control at least a color of the variable color radiation generated by the at least one light source based on at least one interruption of power supplied to the apparatus (independent claims 1, 24, 32, 33, 44 and 45). Claims 47-54 are allowed for reasons already made of record in the previous Office Action."

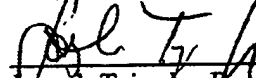
While Applicants agree that the prior art does not disclose limitations indicated in the Examiner's Statement for Reasons of Allowance, Applicants respectfully note that the specific limitations indicated by the Examiner are not necessarily found verbatim in each of the independent claims. In particular, each of the independent claims distinguishes over the prior art based on the particular limitations recited in the claims, and is patentable on its own merits (in some cases, perhaps, for reasons other than those indicated in the Notice of Allowance).

Applicants also submit herewith a Request to Correct Inventorship Under 37 C.F.R. §1.48(a). Accompanying the attached request are statements from two inventors to be added that the error in inventorship occurred without deceptive intention on their part, an oath or declaration signed by the actual inventors, and the written consent of the assignee of the original named inventors (also see the accompanying Certification under 37 C.F.R. §3.73(b)). Favorable action is earnestly solicited with respect to the Request to Correct Inventorship.

Finally, Applicants also respectfully note that a Revocation of Prior Powers and New Power of Attorney was filed in this case on September 24, 2003 (a copy of which is attached hereto). Applicants respectfully request that further correspondence in this application be mailed to their new representatives at the address indicated below.

If there are any questions concerning the foregoing, the Examiner is urged to contact the undersigned at the number listed below.

Respectfully submitted,



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Dated: January 22, 2004